



UNITED STATES DEPARTMENT OF COMMERCE
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26M1/0129

EXAMINER	
LE, A	
ART UNIT	PAPER NUMBER
2614	16

DATE MAILED:

01/29/96

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FEB 0 1 1996

GROUP 260

Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

ADVISORY ACTION

☒ THE PERIOD FOR RESPONSE:

- a) ☒ is extended to run 4 months or continues to run _____ from the date of the final rejection
- b) ☐ expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

☐ Appellant's Brief is due in accordance with 37 CFR 1.192(a).

☒ Applicant's response to the final rejection, filed 12/22/95 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

☒ The proposed amendments to the claim and /or specification will not be entered and the final rejection stands because:

- a. ☐ There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
- b. ☒ They raise new issues that would require further consideration and/or search. (See Note). (See Attachment)
- c. ☐ They raise the issue of new matter (See Note).
- d. ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
- e. ☐ They present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE:

2. ☐ Newly proposed or amended claims _____ would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.

3. ☒ Upon the filing an appeal, the proposed amendment ☐ will be entered ☒ will not be entered and the status of the claims will be as follows:

Claims allowed: 35-47
Claims objected to: 55-57 and 59-61
Claims rejected: 33, 34, 48-54 and 58

However;

☒ Applicant's response has overcome the following rejection(s): the rejections under 35 U.S.C. 112, second paragraph, applied to claims 49 and 54.

4. ☐ The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because _____

5. ☐ The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented.

☐ The proposed drawing correction ☐ has ☐ has not been approved by the examiner.

☐ Other

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Attachment to Advisory Action

1. The newly addition of the limitation "electronically connected library means" (claim 33) and the removal of the limitation "a converter at the at least one of the subscriber receiving stations for receiving and decompressing the compressed, digitized data representing the at least one item of audio/video information" (claim 48) raise new issues requiring further consideration and/or search.

2. Further, regarding claim 48, Applicants respond that "Ballantyne et al fails to teach, disclose, or suggest an intervening reception system which retransmits compressed data at a real-time rate." As submitted in the previous Office Action, the claimed "means, responsive to the stored compressed, digitized data, for transmitting a representation of the at least one item of audio/video information at a real-time rate" is met by Ballantyne et al's disclosure of the passing process, upon receiving the digitized compressed signals, of converted signals to a conventional television set (column 6, line 67-column 7, line 5).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda Le whose telephone number is (703) 305-4769. The examiner can normally be reached on Monday-Thursday from 8:00 AM-5:30 PM. The examiner can also be reached on alternate Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin, can be reached at (703)305-4714.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700. The facsimile number for this Group is (703)308-5403.

AS

A. Le

January 26, 1996


STEPHEN CHIN
SUPERVISORY PRIMARY EXAMINER
GROUP 2600

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